

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11/22/2021

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INTELLIGENT PAYMENT PROCESSING INC.,

Plaintiff,

-v-

UPTempo MARKETING CORP. et al.,

Defendants.  
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21-cv-3035 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff filed a notice of voluntary dismissal without prejudice against all Defendants on August 29, 2021. Dkt. No. 7. However, as noted in the November 4, 2021 Order at Dkt. No. 8, the notice was not effected because it was not filed correctly. The Clerk of Court notified the attorney of the deficient notice, but it was not re-filed and the case was not closed. The Court ordered Plaintiff to re-file the notice of voluntary dismissal correctly or to show cause by November 11, 2021 why the Court should not issue an order closing the case. Dkt. No. 8. Plaintiff re-filed the notice of voluntary dismissal on November 10, 2021; however, again the notice was not effected because it was not filed correctly. Dkt. No. 9. The Clerk of Court notified the attorney again of the deficient notice, but to date the notice has not been re-filed correctly and the case has not been closed.

Accordingly, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice. Any pending motions are DISMISSED as moot, and all conferences and deadlines are CANCELLED.

SO ORDERED.

Dated: November 22, 2021  
New York, New York



LEWIS J. LIMAN  
United States District Judge